



Split Custody and Extended Visitation – Extended Visitation Adjustment to be Completed Prior to Split Custody Calculation (IC-CO-00-09)

Child Support Guidelines, N.D. Admin. Code § 75-02-04.1-03 and 75-02-04.1-08.1

Question: In cases involving both split custody and extended visitation, which calculation should be completed first, the split custody calculation or the extended visitation adjustment?

Answer: The extended visitation adjustment, which is found in N.D. Admin. Code § 75-02-04.1-08.1 must be completed prior to the split custody calculation. The mechanism for determining child support in split custody cases is found in N.D. Admin. Code § 75-02-04.1-03. It is first necessary to determine a support amount for the child or children in each parent's custody. If at least one parent is entitled to extended visitation with a child residing with the other parent, the extended visitation adjustment must be calculated in order to determine that parent's support obligation. When a support obligation has been determined for each parent, the respective obligations are offset against each other by subtracting the smaller amount from the greater amount. The parent with the greater obligation will pay the difference to the other parent.

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